

Responses Due: August 24, 2010

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IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
RICHMOND DIVISION

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In re: : Chapter 11
: :
CIRCUIT CITY STORES, INC., et al., : Case No. 08-35653
: :
Debtors. :
: Jointly Administered
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**EXPORT DEVELOPMENT CANADA’S RESPONSE TO THE DEBTORS’
EIGHTIETH AND EIGHTY-FIRST OMNIBUS OBJECTIONS TO CLAIMS**

Export Development Canada (“EDC”) by its undersigned counsel, responds as follows to the Debtors’ Eightieth and Eighty-First Omnibus Objections to Claims (the “Objections”):

1. The general bar date was fixed by the Court as January 30, 2009. EDC filed proofs of claim numbers 7960, 0851, and 8054, totaling \$1,568,659.78, on January 28, 2009 and January 29, 2009. Of the proofs of claim filed, EDC claimed that

\$949,650.49 was entitled to an administrative expense priority claim pursuant to §§ 503(b)(9) and 546 of the Bankruptcy Code.

2. Claim No. 8054, although filed after the December 19, 2008 bar date for 503(b)(9) claims, was timely filed before the general unsecured non-priority claim bar date. The 503(b)(9) bar date order does not preclude those entitled to administrative expense priority treatment under 503(b)(9) from having those claims treated as general unsecured non-priority claims. Those who do not comply with the 503(b)(9) order lose their rights as 503(b)(9) claimants, but they do not lose their rights to have their claims treated as general unsecured non-priority claims. The order simply does not go that far, and for good reason. A reclassification of Claim No. 8054 as a general unsecured non-priority claim may be proper, but a disallowance in its entirety is not located in any order of this Court, and would run afoul of the equitable principles of the Bankruptcy Code.

3. As to the remainder of the EDC claims, EDC should be allowed a general unsecured non-priority claim in the amount of \$1,568,659.78 for Claim Nos. 7960 and 8054, which were both timely filed.

4. EDC retains the right to supplement this response in the future.

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Wherefore, EDC respectfully requests that it be allowed a general unsecured non-priority claim in the amount of \$1,568,659.78.

Dated: August 24, 2010

FULLERTON & KNOWLES, P.C.

By: /s/Richard I. Hutson
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-and-

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Certificate of Service

I hereby certify that on August 24, 2010, a copy of the foregoing was filed electronic mail on the following: (i) the Core Group, which includes the Debtors, co-counsel to the Debtors, the Office of the United States Trustee, co-counsel for any committee, counsel to the agents for the Debtors' pre-petition lenders, and counsel to the agents for the Debtors' post-petition lenders; (ii) the 2002 List; and (iii) those additional parties as required by the Case Management Order (all of which are defined in the Case Management Order).

/s/Ronald A. Clifford
Ronald A. Clifford, Esq